

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2005-10006-JLT

DAVID TORRES,
Defendant.

ORDER AND RECOMMENDATION AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)

COLLINGS, U.S.M.J.

A Final Status Conference was held on May 20, 2005.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the
numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) None.
- (2) The Government will be producing two receipts from the victim.
- (3) No.

- (4) The government has not requested notice of alibi.
- (5) A motion to strike surplusage from the Indictment will be filed by con June 10, 2005; the Government shall respond within the time provided by the Local Rules.
- (6) ***An Initial Pretrial Conference should be set AS SOON AS POSSIBLE. As of June 10, 2005, THE SPEEDY TRIAL ACT CLOCK WILL BE RUNNING*** unless a motion is filed.
- (7) At this point, the case will probably not have to be tried.
- (8) See Further Order of Excludable Delay entered this date.
- (9) Five(5) days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.
- (5) Five (5) days.
- (6) None.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 ***AS SOON AS POSSIBLE. AS OF JUNE 10, 2005, THE SPEEDY TRIAL ACT CLOCK WILL BE RUNNING*** unless a motion is filed.

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE TAURO'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

May 23, 2005.